

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

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PEDRO M. SERRANO et als.

v.

CLERK'S OFFICE  
CASE NUMBER: 97-2803 (DRD)  
SAN JUAN, P.R.

POPULAR, INC. et als.

**ORDER**

Defendant Popular, Inc., moves the Court to issue an Order barring Plaintiffs from further pursuing a local court action which seeks to annul the settlement agreement that served as the basis for the judgment in the above-captioned case. Defendant invokes the All Writs Act, 28 U.S.C. § 1651, and this Court's decision in Triple-S, Inc. v. Pellot, 41 F.Supp.2d 122 (D.P.R. 1999).

*Prima facie*, the Court agrees with Defendant's interpretation of the federal courts' power to issue such commands under the All Writs Act as may be necessary or appropriate to effectuate and prevent the frustration of previously issued orders. "A valid original judgment provides the federal court with the power the issue the relitigation injunction." In re G.S.F. Corp., 938 F.2d 1467, 1475 (1<sup>st</sup> Cir. 1991).

In the instant case the Court entered an order of dismissal and judgment based on a settlement agreement reached between the parties. (Docket Nos. 60 and 61). On its face, therefore, the judgment in this case appears to be valid. Further, in entering the aforementioned judgment, the Court specifically retained jurisdiction for compliance with the substantive terms of the parties' settlement agreement. Hence, the Court Orders Plaintiffs to show cause within ten (10) days why a relitigation injunction should not issue against them, thereby preventing Plaintiffs from seeking annulment of the settlement agreement in the local courts. Failure to comply within the imposed deadline will result in issuance of the requested injunction.

IT IS SO ORDERED.

Date: May 16, 2000

DANIEL R. DOMINGUEZ  
U.S. DISTRICT JUDGE

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